

IC 14-25.5-3

Chapter 3. Water Environmental Fund

IC 14-25.5-3-1

Fund established; administration by department

Sec. 1. The water environmental fund is established. The department shall administer the fund.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-3-2

Sources of money in fund

Sec. 2. The fund consists of the following:

- (1) Accrued interest and other investment earnings of the fund.
- (2) Civil penalties collected under IC 14-25.5-4.
- (3) Gifts, grants, donations, or appropriations from any source.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-3-3

Limited reversion to the state general fund; investment

Sec. 3. (a) Except as provided in subsection (d), money in the fund does not revert to the state general fund at the end of a fiscal year.

(b) The total amount in the fund may not exceed one million dollars (\$1,000,000). Any money in the fund that exceeds one million dollars (\$1,000,000) reverts to the land and water resources fund established by IC 14-25-10-2.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) If the fund is abolished, all money in the fund reverts to the state general fund.

As added by P.L.145-2002, SEC.3.

IC 14-25.5-3-4

Appropriations from fund; purposes; expenditures without prior approval

Sec. 4. (a) Money paid into the fund may be appropriated for the following purposes:

- (1) To cover the costs of mitigating a violation of an article to which this article applies or rules adopted under an article to which this article applies.
- (2) To cover the costs of:
 - (A) mitigating environmental damage; or
 - (B) protecting the public from harm;caused by a violation of an article to which this article applies or a violation of rules adopted under an article to which this article applies.

(b) The division director may make expenditures from the fund for purposes described in subsection (a) without the prior approval

of the budget agency or the governor. An expenditure under this subsection may not exceed fifty thousand dollars (\$50,000).

As added by P.L.145-2002, SEC.3.

IC 14-25.5-3-5

Expenditure from fund not releasing responsible party

Sec. 5. (a) An expenditure made from the fund under this chapter does not release a responsible person from liability.

(b) The department may seek from a responsible person reimbursement for expenses incurred under this chapter.

As added by P.L.145-2002, SEC.3.